

Panaji, 7th October, 2004 (Asvina 15, 1926)

SERIES II No. 28

OFFICIAL GAZETTE



GOVERNMENT OF GOA

EXTRAORDINARY

GOVERNMENT OF GOA

Department of Finance

Revenue & Control Division

Order

No. 5/20/2002-Fin(R&C)

Whereas M/s. Glow Marine and Allied Products (hereinafter referred to as the "said Industry") having their plant at shed No. 4, Mapsem, Bethora, Ponda, Goa, for manufacture of primer, cement paint, marine coatings, water proofing compound and different types of synthetic enamels, holding Registration Certificate No. PD/217 under the Goa Sales Tax Act, 1964 (Act 4 of 1964) and No. PD/CST/191 under the Central Sales Tax Act, 1956 (Central Act 74 of 1956), have applied vide their application dated 7-5-2002, for extension of benefit of exemption under entry 68 of the Second Schedule appended to the Goa Sales Tax Act, 1964 (Act 4 of 1964) (hereinafter referred to as the "said Act");

And whereas under sixth proviso to entry 68 of the Second Schedule appended to the said Act, the Government of Goa is empowered to extend the benefit of exemption under the said entry to the industries declared to be of high polluting nature subject to obtaining of required consent(s) from the Goa State Pollution Control Board and on being satisfied that the process carried out by such industry is pollution free;

And whereas the Goa State Pollution Control Board had issued consent letter No. 5/1238/98-PCB/149 dated 15-4-2002 to the said industry under the Water (Prevention and Control of Pollution) Act, 1974, subject to certain conditions as stated therein initially valid upto 10-4-2004 which subsequently superseded vide letter No. 5/1238/98-PCB/1400 dated 20-8-2004 extending the validity upto 10-4-2009;

And whereas a declaration has been submitted by the said industrial unit stating that it does not have any equipments, such as, D. G. sets, boilers, etc. installed in their industry and emitting emissions or burning fuel, on account of which, no consent under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981, is necessary;

Now, therefore, the Government of Goa, having considered the case of said industry, vis-a-vis, consent letters issued by the Goa State Pollution Control Board and the conditions stipulated therein, in pursuance to the powers vested in it in terms of sixth proviso to entry 68 of the Second Schedule appended to the said Act, hereby extends the benefit of exemption under the said entry to the said industry, subject to fulfillment of the conditions specified in the said entry read with the following conditions:-

- (i) The exemption under this order shall be effective from 17th April, 2003 on which date the notification No. 5/8/2003-Fin(R&C)(11) dated 16-4-2003 came into force. The total period of exemption, including the period, if any, during which the exemption is forgone due to non-compliance of any of the stipulated conditions, shall be restricted to 5 years from 17th April, 2003.
- (ii) The benefit of exemption shall be subject to timely filing of quarterly returns prescribed under the Goa Sales Tax Act, 1964 (Act 4 of 1964) and the Central Sales Tax Act, 1956 (Central Act 74 of 1956), and claiming of turnover therein.
- (iii) The sales of goods manufactured by the said industry shall not be exempted from payment of tax, if there is any change in ownership of the said industry.
- (iv) If the measures adopted by the said industry to control pollution were found inadequate or if the

industry cause any threat to the environment, the benefit shall stand withdrawn forthwith.

- (v) The exemption under this order is effective during the period of validity of the consent issued by the Goa State Pollution Control Board under the Water (Prevention and Control of Pollution) Act, 1974 and shall further be subject to fulfillment of the conditions contained in the said consent letters.
- (vi) The exemption under this order shall be available only during the effectivity of the period of extended exemption under entry 68 of the Second Schedule appended to the said Act and in the event of implementation of Value Added Tax System in the State, the benefit under this order shall stand withdrawn. However, the industrial unit will be at liberty to opt for the benefit of the Goa Sales Tax Deferment-cum-Net Present Value Compulsory Payment Scheme, as applicable on the day of exercising of option.
- (vii) This order confers no right, of any nature, on the said industry and benefits of exemption shall be liable to be revoked without any notice, whatsoever, in public interest, by the Government.

By order and in the name of the Governor of Goa.

Shrikant M. Polle, Under Secretary (Fin-Exp.).

Panaji, 5th October, 2004.

Notification

No. Fin(Rev)2/35/2/74-I(A)

In exercise of the powers conferred by sub-rule (4) of Rule 99 of the Goa, Daman and Diu (Excise Duty) Rules, 1964, the Government of Goa, being satisfied that it is necessary in the public interest, hereby directs that all licensed premises for the sale of liquor in the District of South Goa, shall be closed from 11th October, 2004 from 5.00 p.m. onwards to 13th of October, 2004 upto 5.00 p.m. and on 16th of October, 2004, in view of polling and

counting of votes for the Bye-Election to 40 – Poinguinim Assembly Constituency.

By order and in the name of the Governor of Goa.

Yvonne Cunha, Joint Secretary (Finance).

Panaji, 7th October, 2004.

Notification

No. Fin(Rev)2/35/2/74-I(B)

In exercise of the powers conferred by Sections 5 and 8 of the Goa Excise Duty Act, 1964 (Act 5 of 1964) (hereinafter called the "said Act"), the Government of Goa hereby prescribes that, notwithstanding anything contained in the Government Notifications No. Fin(Rev)/2-35/SE/6/68/(A) dated 29-2-1972 and No. Fin(Rev)/2-35/SE/6/65/(B) dated 29-2-1972, the following shall be the maximum quantity of liquor which can be transported from one place to another, within the District of South Goa, by any person or which can be possessed by any person within the District of South Goa, without a permit issued in accordance with the provisions of the said Act and the rules made thereunder during the period from 11th October, 2004 from 5.00 p.m. onwards to 13th October, 2004 upto 5.00 p.m. and on 16th October, 2004.

- (a) Three quart bottles of Indian made foreign liquor other than beer and six bottles of beer for any person including his family.
- (b) Three quart bottles of country liquor for any person including his family.

This Notification shall remain in force only for the period from 11th October, 2004 from 5.00 p.m. onwards to 13th October, 2004 upto 5.00 p.m., in view of polling for the Bye-Election to 40 – Poinguinim Assembly Constituency and on 16th October, 2004 for counting of votes.

By order and in the name of the Governor of Goa.

Yvonne Cunha, Joint Secretary (Finance).

Panaji, 7th October, 2004.